WORLD CHRONICLE

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GUEST: Jan Martenson, Under-Secretary General for Human Rights

JOURNALISTS: Louis Foy, France Soir
Rossana Fuentes-Berain, Notimex
Tuyet Nguyen, UPI

MODERATOR: Michael Littlejohns

SYNOPSIS

HUMAN RIGHTS

Jan Martenson, Under-Secretary-General for Human Rights, surveys recent strides make in combatting abuses. It is now almost impossible to commit Human Rights violations without being detected, he says, because of the increased publicity and global awareness promoted by the UN.

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VOICE From United Nations Headquarters in New York, this is **WORLD CHRONICLE**, an unedited interview programme about major global issues. Here now to introduce our guest is the host of today's **WORLD CHRONICLE**.

LITTLEJOHNS: I'm Michael Littlejohns and this is **WORLD CHRONICLE**.

Ever since 1948 when it adopted the Universal Declaration of Human Rights, the United Nations has set standards dealing with racial discrimination, genocide, stateless persons, the disabled and mentally retarded, slavery, torture, and a host of other matters affecting human development and social progress. Anyone may bring a human rights problem to the U.N.'s attention and thousands around the world do every year.

The focal point for these complaints and most related matters, is the Centre for Human Rights in Geneva headed by today's guest, Jan Martenson of Sweden. Mr. Martenson will be interviewed here at United Nations Headquarters in New York by: Louis Foy of France Soir; Rossana Fuentes-Berain of Notimex, the Mexican News Agency; and Tuyet Nguyen of UPI.

Mr. Martenson, welcome to **WORLD CHRONICLE**.

LITTLEJOHNS: Mr. Martenson, some critics of the United Nations in general, and of its handling of human rights questions in particular, say that the Organization has not been as diligent as it might be in dealing with human rights problems in part because some member governments rather resent the idea that the U.N. should interfere in what they consider to be their domestic affairs, what's your response to that kind of criticism?

MARTENSON: I think that it might have been valid previously but we see a very changing world now, not least after what's happening in the East European countries. It's a very different climate for human rights and when we speak about human rights we have of course to remember the object is namely that out of these 159 states these are sovereign states and there's no way that the United Nations can force them but we see a very different situation today also not least thanks to the efforts of publicizing human rights. We get much more involved and knowledgeable public opinion that is taking its toll, pushing member countries towards more openness.

LITTLEJOHNS: We've spoken in our introduction Mr. Martenson about the possibilities for individuals to draw the attention of the United Nations to abuses of human rights, how is that done? Do they send petitions to you in Geneva and what happens when you receive such petitions?

MARTENSON: Yes, only last year we got 300,000 petitions ....

LITTLEJOHNS: 300,000?

MARTENSON: ... from individuals and this is put into the machinery as it were and in many cases action is taken and it takes too long to go into the machinery. But we have special rapporteurs on torture, and on religious intolerance, and summary executions, etc., that are covering the situation in any country and we have special rapporteurs on individual countries such as Afghanistan, Iran, Romania and so on and so forth which is also bringing attention. We have the quiet diplomacy of the Secretary-General in our Secretariat and we work very closely

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with big, non-governmental organizations such as Amnesty International on a daily basis. So we are in touch with Foreign Ministers every day in various countries drawing attention to alleged violations of human rights and asking for rectification.

LITTLEJOHNS: These 300,000 complaints you've spoken of, is this an increase or a decrease?

MARTENSON: This is very much an increase and it has also to do I believe with the publicizing that we do of these things. We have started a world campaign for human rights in order to really try to create a universal culture of human rights so that every person out there will know that human rights exists because what use would the U.N. be and all these conventions we have if people are not aware of their human rights.

FOY: Mr. Martenson, in a concrete way when you get a report or a complaint what do you do to try to straighten the situation? Just file another report?

MARTENSON: No. Let's say that we get information about a case, someone is detained and under torture, if that's a reliable source, we can send a cable to the Foreign Minister of that country saying that we know that this is happening and you have to observe human rights and please inform us. And although we can't force that government to act, the government knows that there are under the eye of the international organization and these things are then put into reports to the General Assembly.

FOY: But we had one of the most outrageous cases recently in Iraq with the holding of human shields, what did you do about it?

MARTENSON: That was very much debated and discussed in the Sub-Commission this year of the United Nations and is also one of the hottest topics on the agenda of the Security Council and also in the Third Committee. We have to make a difference between the Secretariat and its functions and member countries who are mandating the Secretariat to do certain things, so it's very much on the agenda of the United Nations this issue.

FUENTES-BERAIN: Sir, going back to the conventions you were talking about, many conventions signed, there's one regarding the rights of children and there have been reports of very sad abuses towards children in the streets of two Latin American countries, Guatemala and Brazil, but there are also reports of children incarcerated in South Africa and youths beaten by Israeli police in the Occupied Territories, what are you doing about this?

MARTENSON: I think that we, mankind, have taken a very big step forward in adopting a convention on the rights of the child which came into force this year as you know and with a record number of countries having already ratified it because previously, the rights of the child were spread in some 60 international documents. Now we have one binding, obligatory treaty which is signed by well over 100 countries and which collects everything in a holistic way because it takes the benefit of the child. The child is in the centre of this convention and children are half the world's population. Out of some five billion people in the world, half are children and often live under very severe conditions -- abuse, exploitation and so on -- and you have made reference to some of these appalling things. Now at least we have an instrument for public opinion, for the international community to work with and to say, look these are the standards, this is a document that you have adhered to, now you better behave. And we are setting up a

committee which will supervise the implementation of this which can then intervene and demand countries to change their behaviour. A piece of paper, the convention, doesn't change the world per se but it's the implementation and it's important that it is there in a world where 40,000 children die every day needlessly due to neglect and lack of resources so I think that's at least a step forward to try to change the situation.

NGUYEN: Mr. Martenson, you say that the world is entering a new, different climate, in what way? Does it mean that human rights violations would decrease? Actually you say there are more complaints than last year, how did you view this changing world and will your role as the keeper of human rights change too?

MARTENSON: I think that we live in a much more positive environment because previously, not many years ago as you know, human rights was the ideological battlefield between let's say communism and capitalism. Very sterile confrontation. This has given way now to much more co-operation. You know the human rights situation is very different although not ideal anywhere in the world, but very different in the Soviet Union, Romania, Czechoslovakia and so on, so that's a new climate. And also the United Nations as such has realized that the world has to be built on a foundation of human rights. If you build a house, if the basement isn't there, the house will fall and that was what we saw in Eastern Europe to give one example. And you might recall, to give you another example, that the Secretary-General in his annual report now to the General Assembly said that the United Nations has three priorities: peace, development and human rights, and also if you follow the debates and you see the concern amongst member countries, it's very much changed, human rights from having been a kind of subsidiary thing to being a main concern. It has also

to do with the growing public opinion in member countries because people start to be aware that they have human rights and they demand from their "rulers" these human rights and they have to be given to them because if not the rulers will be overruled.

NGUYEN: But do you think the Commission which you head has really improved human rights conditions around the world? We have seen criticisms over the years that you have not done enough for them.

MARTENSON: Well, when you say you, you perhaps refer to the member countries. Our means are very modest and within the Secretariat we have even less than one percent of the budget which I hope will be corrected but unfortunately, when we talk here today, gross violations of human rights are taking place all over the world but we know about it, there's attention focused on it and one is addressing it in a very different manner since just a few years back. Mr. Littlejohns made reference to the Universal Declaration of Human Rights adopted in 1948. At that time it was a complete sovereignty of states over their subjects. There was no question of receiving a special rapporteur, or sending a report to the U.N., or opening up, or doing things. Today, we have a very changed situation in which the national sovereignty is gradually being eroded in the field of human rights so I think although the situation is far, far from perfect, unfortunately we have come a very long way and I think we are on the right track towards a better world.

NGUYEN: Can you tell us, of the 300,000 complaints you received every year, let's say in the past year, how many of those have you really tried to solve?

MARTENSON: Well, we have tried to solve all of them in the sense that many of them relate to the same situation. We had for instance quite a lot relating to Romania and as you know the situation is now fortunately very different from the Ceaucescu time but even before, during Ceaucescu, we appointed a special rapporteur who wrote a very forthright and open critical report about the situation which was very much debated.

FOY: Mr. Martenson, from what we read and hear it seems that there have never been so many violations of human rights, do you think the world is getting worse in spite of all your efforts?

MARTENSON: I would prefer to think not. I think that one dimension of this is that people are much more informed and previously you could perhaps commit violations of human rights without much publicity. Today it's almost impossible because you have very much more focused interest from the mass media and I think the media is a very important ally in this because as I said we can't force member countries but not one member country likes criticism and if you find yourself on the front page all over the world about violations of human rights you start to be very careful. So I think you have a big responsibility and a big role in this.

FOY: One front page problem now all over the world is the problem of AIDS in which there is a lot of discrimination. Recently I saw on French television pictures of newborn babies infected with AIDS from their mothers. Their mothers had given them up and nobody would take care of them except the public hospitals in France, what do you do against discrimination against the victims of AIDS?

MARTENSON: Well, a couple of years ago I suggested to the Sub-Commission that they should study and take action on this possible new category of discrimination because I felt that this a very precise sector in which you could create more or less secretly all kinds of discrimination and that has now been put on the agenda and we are actively pursuing this. We have a rapporteur on it and it's in the machinery and having a lot of work with the WHO for instance, the World Health Organization, so it's also on its way.

LITTLEJOHNS: The programme is **WORLD CHRONICLE**. Our guest is Jan Martenson, Under-Secretary-General for Human Rights.

FUENTES-BERAIN: Sir, after the report is done, after the job of the U.N. is done in the sense of having documented the abuses, what comes next in terms of the U.N. bodies?

MARTENSON: It depends. As I said we have some 50-60 conventions and various instruments and there are various, different mechanisms in various instances but basically a report comes to the General Assembly, being thoroughly debated in the Third Committee and the General Assembly, often with a lot of publicity, and it ends up now, on average now because there is a lot of venues, it ends up basically in a resolution that perhaps condemns or demands or requests, tells a country that what you do is wrong and you have to change and we request you to do that. One can say that's a piece of paper but it's not merely that. It's a kind of moral obligation for the country to react. The country is taken to task as it were and in the public limelight and it helps. In many cases countries are saying, well okay we have to change, and it's not merely a kind of accusatory process in the United Nations approach, it's also a kind of assistance to countries to help them to overcome difficulties and sometimes there are violations which one is

perhaps not aware of even because there's violations of various conventions so it works both ways. But basically it builds up and works itself up towards the General Assembly where a resolution as appropriate is passed. And then we have the usual U.N. sort of situation that we deal with sovereign states so they have to take it from there.

NGUYEN: In the report by Mr. Galindo Pohl on Iran, you know a very active group, the opposition, the people's mujaheddin, has bitterly criticized Mr. Paul for really caving in under the Iranian government's influence. He made two reports, one for Geneva and one for the General Assembly, is that unusual practice to study very widely documented violations on human rights?

MARTENSON: Normally very often the same report and the same country is discussed in the Commission and in the General Assembly but Mr. Galindo Pohl has made two reports as such, one last year and one this year, and I think the criticism was less critical of this year's report.

NGUYEN: But they still say that Mr. Pohl has not been about to go to the prisons or talk to the persons who really were the victims of those violations.

MARTENSON: That's correct and that he says himself in his report. I mean he said, well I wasn't allowed to do whatever I had wanted to, including these things.

FOY: Mr. Martenson, I see in a bulletin of human rights which is published by your organization that there is a committee to defend the human rights of parliamentarians, are parliamentarians an endangered species?

MARTENSON: It depends. Maybe they feel themselves that way sometimes during election time but human rights is a very wide-ranging phenomenon and there is no particular United Nations committee on parliamentarians but there are a lot of non-governmental organizations active and we work very closely with the non-governmental organizations all over the world -- Amnesty International, International Commission of Jurists, etc., because we are very few and we are in New York and in Geneva while the NGOs are all over the world and we get daily reports from all over the world where they are about violations of human rights on which we can react and they also assist in spreading the information, the message of human rights.

FUENTES-BERAIN: If I may build up on your answer, there is another group that is not publicly discussed and very much abused. As a Mexican I cannot fail to mention them, the migrant workers. People that leave their own country in search of a job in a second country such as this. What are you doing in terms of protection for the migrant workers?

MARTENSON: Well, I agree it's a very vulnerable group. People that have to leave their homes, their non-jobs, their countries in order to try to scrape out a living somewhere and they are not supposed to stand up and protest against whatever violations because they can risk being kicked out, but you will be pleased to learn that after some ten years of work the United Nations will now hopefully adopt a convention on the rights of migrant workers, taking care of all of those concerns and the basic philosophy is not to establish a minimum right for these people but to put them in the same category when it comes to rights as the people in the country in which they are working.

FUENTES-BERAIN: Sir, on that convention, are you going to try to have it ratified as much as you did for the Children's Convention?

MARTENSON: Yes. Hopefully, it will soon be adopted by the General Assembly then it will be open for ratification and then we'll establish an implementation machinery to see to it that the member countries having ratified are living up to all their obligations.

FUENTES-BERAIN: What is your time frame?

MARTENSON: It depends, but as soon as possible.

LITTLEJOHNS: How many Member States would have to ratify it for it to come into effect?

MARTENSON: Well, that I don't remember exactly how many it has to ...

LITTLEJOHNS: Is it likely to be a long drawn out process, do you think?

MARTENSON: I hope not but you see when it comes to ratification of a convention it's in some countries a complicated thing, not complicated in substance but in form because you go through all kinds of parliamentary exercises. It has to be adopted by the upper house, the lower house, and so on and so forth.

LITTLEJOHNS: So far has there been much resistance to the idea?

MARTENSON: No.

NGUYEN: Is there any arrangement for the Centre to receive people who have evidence of human rights violations? I'm thinking of the case in Mr. Pohl's report. He said people

who have evidence against killings in Iran were not able to come forward to report in Geneva because of intimidation by the secret police from Iran, have you made any arrangement to receive these people and in the future any other arrangement?

MARTENSON: I think he was referring to the situation in Iran.

NGUYEN: Yes.

MARTENSON: I thought you said Geneva. No, we receive people every day, on a daily basis, in our office in Geneva and in New York concerning human rights complaints and issues and whatever.

NGUYEN: But they also asked for police protection, what did you do in those cases?

MARTENSON: Well, it's not something that is within various countries where there is a special rapporteur and we try with the authorities there to really bring home that we have to see the people that want to see us or rather the special rapporteurs and if they refuse it will be negatively reflected in the report so it's in their own interest.

FOY: Mr. Martenson, there is another group who's often in danger. It's the journalists. We're the first ones usually to be beaten over the head when things go wrong, is there a commission to protect the human rights of journalists?

MARTENSON: The journalists have all the human rights of everyone else and the issue is a very important one because these journalists are really reporting, also exclusively, on

human rights violations so they are very vulnerable and there is also on the agenda the protection of journalists and we are working closely with various journalists' associations on this.

FOY: But you have no convention?

MARTENSON: No.

LITTLEJOHNS: What about the case of Salman Rushdie, the author of The Satanic Verses, have you done anything about that case?

MARTENSON: That was discussed in the Sub-Commission.

LITTLEJOHNS: In Geneva?

MARTENSON: Yes.

LITTLEJOHNS: And what did they decide to do?

MARTENSON: There was no formal decision on it.

LITTLEJOHNS: Because of resistance by Iran?

MARTENSON: No. You see the work of the Commission where you have 43 member countries and the Sub-Commission, etc., is not selective. I mean they try to go after human rights violations wherever they exist and of course countries which feel themselves on the spot don't like that but that is not the reason why things are not brought forward.

FUENTES-BERAIN: Sir, can you tell me why if the U.N. is committed to advancing women's rights within it's leadership since its beginnings in 1945 there's only been one woman on the higher echelons of 130 posts?

MARTENSON: I think there's more than one. You have a couple of women now as Under-Secretary-Generals for instance. It depends where you are. I try very hard to advance these issues. In my office in Geneva for instance which is the second largest outpost in the United Nations, in my sort of immediate office, 50% of professionals are women and in the Centre for Human Rights we have some 35% being women. And then I agree we should have much more. We have, I think, no we have more than two. We have three, four I believe.

MARTENSON: I would say it is improving which is not the same thing that it has generally improved but I think we are on the right track.

LITTLEJOHNS: And you mentioned the 300,000 petitions that you've received, are you getting more petitions from Eastern Europe now because of the loosening up of restrictions? People are more free to communicate with you perhaps?

MARTENSON: Yes, but there is also less reason for complaints also. I guess on the average it's about the same. I haven't the statistics for this year but what I would like to say in conclusion is that we have started this universal campaign for human rights and I think that's very important that everyone knows about their rights.

LITTLEJOHNS: Mr. Martenson, that's all the time we have. Thank you for joining us on this edition of **WORLD CHRONICLE.**

Our guest has been Jan Martenson, Under-Secretary-General for Human Rights. He was interviewed here at United Nations Headquarters in New York by: Louis Foy of France Soir; Rossana Fuentes-Berain of Notimex, the Mexican News Agency; and Tuyet Nguyen of UPI.

I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of **WORLD CHRONICLE.**

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